

August Court - - - - 1760 - - - - 47

John Gale & John Bonoway - Command was given to the Sheriff of Somerset County that he should take Samuel Horsey all ferment
Bonacony - County planter if he should be found in his County and him should safe keep so that he might have his body
Samuel Horsey before the justices of his Lordships County Court of Common Pleas to be held at Prince Anne Towne in and for the County
of the 1st Tuesday of June Anno Domini one thousand seven hundred and fifty two Answer unto John Gale and John Bonoway

Bonacony of Aplea of trespass upon the Case &c And the same day is given to the aforesaid Gale and Bonoway heretofore
At which day here came the aforesaid John Gale and John Bonoway by their Attorney aforesaid and the Sheriff with John Dennis
Preston here Picturesd that he had taken the aforesaid Samuel Horsey whose body hereat this day he had ready to Answer thereto
Gale and Bonoway of the aforesaid aforesaid it was commanded

Whereupon the aforesaid Samuel Horsey at the prayer of the aforesaid John Gale and John Bonoway is adjudged to give
Special Bail to the Action aforesaid Thereupon a Captain Stephen Horsey - of Somerset County planter present here gave
in his proper person undertook for the said Samuel Horsey that if it should happen that Judgment in the plea aforesaid should
be rendered for the said Gale and Bonoway against the aforesaid Samuel Horsey or that he the said Samuel should be there
Convict that then he the said Samuel should pay and satisfie unto the aforesaid Gale and Bonoway the Judgment of
the Court thereupon or Under his body in execution of such Judgment to the prison of the Sheriff of the County aforesaid in
satisfaction therfor that he the said Stephen Horsey will do the same for him

Whereupon the said Samuel Horsey put in his place Levin Wilkes Esq; Attorney at Law Against the aforesaid
Gale and Bonoway of the aforesaid

And therupon at the prayer of the parties aforesaid Day is given now here given until next Court to be held at
Prince Anne Towne the third Tuesday of August then next following in the State that now belongs to the parties aforesaid

At which day here came the parties aforesaid by their Attorneys aforesaid hereupon the aforesaid Gale and Bonoway complained
of the aforesaid Samuel Horsey in the plea aforesaid in following - Somerst f^r Samuel Horsey late of Somerset County planter
was Attacked to Answer unto John Gale and John Bonoway of Aplea of trespass upon the Case &c

And Whereupon the said Gale and Bonoway by William Haynes their Attorney Complain that whereas the said
Samuel the xiijth day of October Anno Domini MDCCLVIII at Somerset County aforesaid was indebted unto the said Gale and
Bonoway in the sum of four pounds sixteen shillings and six pence therefor things Cest Money of Maryland for the sum
Articles and things in the Account hereto Annexed mentioned and so thereof indebted unto the said Samuel in Consideration
thereof Afterwards to the same day and year aforesaid at the County aforesaid upon himself Aforesaid and to the said Gale and
Bonoway then and there faithfully promised that he the said Samuel the sum of Money aforesaid when he should be there
Afterwards Required unto the aforesaid Gale and Bonoway well and faithfully would pay and Content Nevertheless the said
Samuel his promise and Assumption aforesaid made little Regarding but minding and fraudulently Intending
the said Gale and Bonoway in that part craftily and skillfully to Deceive and Defraud the sum of Money aforesaid to the said
Gale and Bonoway hath not paid or them for the same in Any sort Contended (altho the same to the same Samuel
Afterwards to the same day and year aforesaid after some time at the County aforesaid by the said Gale and Bonoway was Required
but the same to them to pay hitherto Altogether hath Refused and Still doth Refuse and Intend Not to pay wherein
the said Gale and Bonoway say they are Worse and have Damages to the Value of fifty pounds Cest Money of Maryland
thereof they bring suit for

Plaintiff vs. John Gale & John Bonoway

Defendant

1. Samuel Horsey by his Attorney aforesaid comes and saith
2. The sum and Injury whereof he saith that he can prove the
3. to be due of the aforesaid Gale and Bonoway notwithstanding he had of
4. upon himself in manner and form as the aforesaid Gale and Bonoway
5. Above against him have complained and as to the damage of the
6. same Gale and Bonoway by him by Occasion of the premises
7. in that part sustained the same damage with and before addit
8. to all of
9. That the aforesaid Gale and Bonoway had sustained Damages by
10. Occasion of the premises beyond the cost and charges of the
11. About their suit in that part supposed to have been given
12. and because the aforesaid Gale and Bonoway
13. deny not this but the same Allegation given to be true judgment for those damages above Abrogated together
14. with their costs and charges aforesaid to be Adjudget to

Therefore by reason of the parties aforesaid it is Considered that the aforesaid Gale and Bonoway Recover Against the aforesaid
Samuel Horsey their Damages aforesaid to the sum of four pounds sixteen shillings and six pence Cest Money by the